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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,068	11/21/2001	Tan Nguyen	FCI-2652/C3197	1479

7590 04/07/2004

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EXAMINER

FIGUEROA, FELIX O

ART UNIT PAPER NUMBER

2833

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/990,068

Applicant(s)

NGUYEN, TAN

Examiner

Felix O. Figueroa

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-8,10-32 and 40-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-8,10-32 and 40-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to because they have elements shown in cross section which are not properly crosshatched. Insulating members shown in cross section (in Figure 3) should be properly crosshatched. It is brought to applicant's attention that the conventional crosshatch for insulating members shown in cross section consist of lines of two different thicknesses alternatively disposed.



Correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5-8, 10-32, and 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. (US 4,593,464) in view of Hosler, Sr. (US 5,062,808).

Williams discloses an electrical contact comprising: a rear end having a first interface (right side of Fig.5); and a front end having a second interface (left side of Fig.5) to a connector, the second interface comprising: a flexible electrical contact medium (20) having a plurality of flexible members (11); and an insulating member (2)

surrounding the flexible contact medium. Williams discloses substantially the claimed invention except for the flange portion.

Hosler teaches a triaxial contact (Fig.3) with a second interface (right side/138), the second interface comprising a flexible electrical contact (110) having a plurality of flexible members (128); and an insulating member (130) surrounding the flexible contact medium, the insulating member having a flanged portion (138), the flanged portion being configured to receive an end of each of the plurality of flexible members; wherein an end of each of the plurality of flexible members being disposed under the flange portion in order to protect the flexible members (col.5 lines 1-6). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the electrical contact of Williams with the insulating member having a flanged portion, as taught by Hosler, to protect the flexible members.

Regarding claim 2, Williams also discloses the first interface connecting to a connector medium.

Regarding claim 5, both Williams and Hosler disclose the front end of the flexible contact medium being tapered toward an outer boundary of the second interface. See Figures 4 and 3, respectively.

Regarding claim 6, Hosler discloses the front end of the flexible contact medium is isolated from the connector by a curve rim (at 138) on the second interface.

Regarding claim 7, Williams discloses the second interface permits connection of the connector with a rear portion of the flexible contact medium.

Regarding claims 8, 10-14, Williams discloses the electrical contact being a male triaxial pin and the connector being a triaxial connector; the front and rear ends being tubular; and the first interface having one or more connection pins.

Specifically in regard to claim 15, Williams discloses an electrical contact comprising: an intermediate contact (20) having a flexible connection medium; an outer contact (10) surrounding the intermediate contact; a first insulator (2) surrounding the intermediate contact and the flexible connection medium, wherein the first insulator provides electrical isolation of the intermediate contact from the outer contact, and wherein the first insulator has a front face, and wherein the outer contact surrounds the first insulator; and a center contact (30) surrounded by the intermediate contact.

Williams discloses substantially the claimed invention except for the flange portion.

Hosler teaches a triaxial contact (Fig.3) with a second interface (right side/138), the second interface comprising a flexible electrical contact (110) having a plurality of flexible members (128); and an insulating member (130) surrounding the flexible contact medium, the insulating member having a flanged portion (138), the flanged portion being configured to receive an end of each of the plurality of flexible members; wherein an end of each of the plurality of flexible members being disposed under the flange portion in order to protect the flexible members (col.5 lines 1-6). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the electrical contact of Williams with the insulating member having a flanged portion, as taught by Hosler, to protect the flexible members.

Regarding claim 16, William also discloses a second insulator (3) located between the intermediate contact and the center contact.

Regarding claims 17 and 18, Hosler discloses a flange (at 138) on the front face, wherein the flange isolates a front portion of the flexible connection medium from the mating connector; and a ledge (at 138) on the front face, wherein a front portion of the flexible connection medium is located below the ledge.

Regarding claims 19-21, Williams discloses the front portion of the flexible connection medium having a taper that guides the mating connector; and the front portion of the flexible connection medium tapered toward the outer boundary.

Regarding claim 23, Williams discloses a third insulator (back end of 3) surrounding the center contact.

Regarding claim 24, Williams discloses the center contact connected to a center pin that extends from the rear side of the outer contact.

Regarding claim 29, Williams discloses the outer contact connected to an outer pin that extends from a rear side and is within a boundary of the outer contact.

Regarding claims 25, 27, 28 and 30 please note that a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, as in the present situation, then it meets the claim. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

Specifically on claim 31, Williams teaches an electrical connector comprising: a shell (1); an electrical contact (10,20,30) located within the housing, comprising: a rear end having a first interface, and a front end having a second interface to a connector; and at least one other electrical contact located within the shell; the shell is substantially circular and surrounds the electrical contacts. Williams discloses substantially the claimed invention except for the flange portion. Hosler teaches a triaxial contact (Fig.3) with a second interface (right side/138), the second interface comprising a flexible electrical contact (110) having a plurality of flexible members (128); and an insulating member (130) surrounding the flexible contact medium, the insulating member having a flanged portion (138), the flanged portion being configured to receive an end of each of the plurality of flexible members; wherein an end of each of the plurality of flexible members being disposed under the flange portion in order to protect the flexible members (col.5 lines 1-6). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the electrical contact of Williams with the insulating member having a flanged portion, as taught by Hosler, to protect the flexible members.

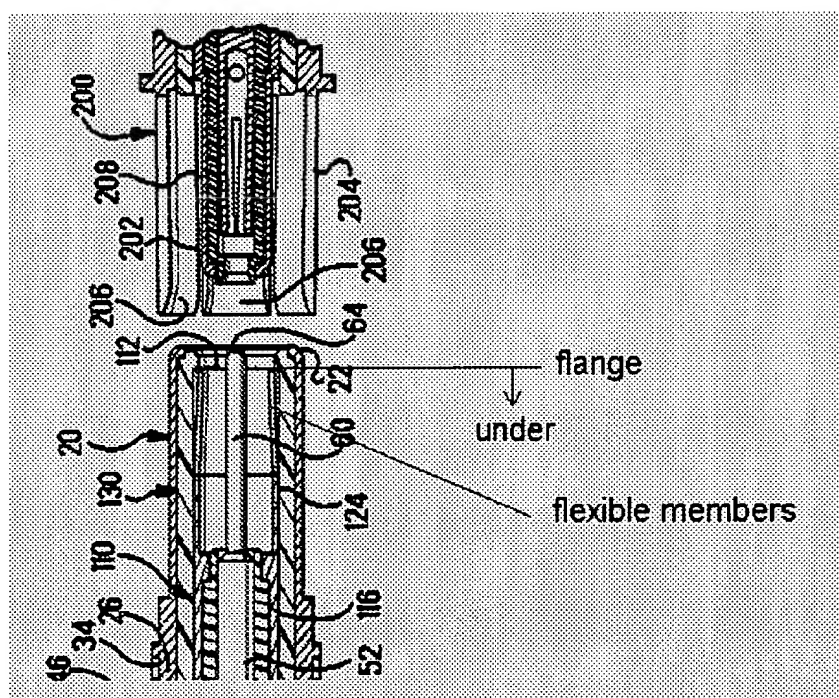
Response to Arguments

Applicant's arguments filed February 20, 2004 have been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, i.e. that Williams "does not teach or suggest an end of each of the plurality of flexible members being disposed under the flanged portion to prevent the electrical flexible contact

medium from being bent inward toward a center of the electrical contact", please note that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case, Hosler teaches an end of each of the plurality of flexible members being disposed under the flanged portion.

In response to Applicant's arguments that Hosler "does not teach or suggest that an end or portion of an electrical conductor is disposed under a flange of an insulator", please see the following Figure.



In response to Applicant's arguments regarding claims 5 and 9, please note that Figure 4 of Williams and Figure 3 of Hosler show the flexible contact medium tapered outwardly.

In response to applicant's argument (in the last paragraph of page 14) that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Hosler teaches the use an insulating member having a flanged portion and an end of each of the plurality of flexible members being disposed under the flange portion in order to protect the flexible members (col.5 lines 1-6).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). In this case, Hosler teaches, in column 5 lines 1-6, the use an insulating member having a flanged portion to protect the flexible members.

In response to Applicant's arguments that the combination of Hosler and Williams proposed by the Examiner is trying to solve a problem of preventing the flexible medium from being bent toward the center of the electrical contact, which problem is already addressed by Williams" because the contacts Williams are "surrounded and protected by a tubular insulator that limits the movement of the contacts", please note that while the tubular insulator prevent contact within the contacts, the intermediate contact in Williams can still be bent toward the center since the spacing between the insulator walls still allows movement of the intermediate contact.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

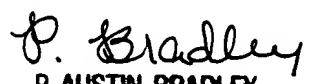
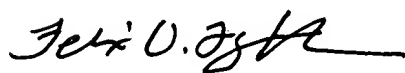
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (571) 272-2003. The examiner can normally be reached on Mon.-Fri., 10:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 Ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ffr



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